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SUBJECT: OAXACA: STATE ELECTORAL POLITICS WITH NATIONAL
IMPLICATIONS

MEXICO 00003174 001.2 OF 005

¶1. (SBU) Summary. Poloffs traveled to Oaxaca State October 14-16 to meet with a variety of local political leaders, government officials, and civil society representatives. Local elections in Oaxaca next year have caught the attention of national party leadership, with more at stake than the governorship, 25 local deputy slots, and hundreds of mayorships. Talk of a broad alliance between six parties to defeat the Institutional Revolutionary Party (PRI) next year is on everyone's lips, but the viability of establishing and maintaining such a disparate coalition is uncertain. Such an alliance will hinge on the ability of participants to agree to a unity gubernatorial candidate. Deep wounds from the 2006 civil unrest still scar the state, but defeating the incumbent PRI will be difficult. Oaxaca remains a highly divided, tinderbox of a state. End Summary.

Background

¶2. (SBU) One of the poorest states in Mexico, Oaxaca is still trying to recover from the 2006 civil unrest that decimated its critical tourist sector, left deep wounds on its population, and further alienated the government from civil society groups. Oaxaca features 16 different indigenous groups, and about 1/2 to 2/3 of the population is indigenous. Some 418 of its 570 municipalities are run predominantly under the "uses and customs" system, which allows citizens to adhere to traditional indigenous customs and practices in judicial and electoral matters. State officials and opponents alike pointed repeatedly to Oaxaca's numerous municipalities -- the state accounts for about a quarter of the national total -- as an important complicating factor in running elections and effectively governing the state. State officials complained, for example, that local police forces are wholly uncoordinated across municipal lines and often respond to their own internal rule set rather than to codified regulations. With levels of organized crime-related violence low but unemployment high, Oaxaca is one to the top exporters of migrant workers to the United States, with estimates of 1 to 3 million living abroad at any one moment.

Politics: All Eyes on Elections

¶3. (SBU) With the governorship, 25 state-level deputy slots, and hundreds of mayorships up for grabs in July 2010, the

Oaxacan political buzz is almost exclusively focused on the elections. A stronghold of the PRI old guard, Oaxaca would be a valuable prize to PRI-opponents looking to turn the electoral tide in the run-up to the 2012 presidential election. Opposition to incumbent PRI Governor Ulises Ruiz may capitalize on anger still simmering from the 2006 conflicts, but will face a formidable PRI electoral machine bent on maintaining its current control of the state.

¶4. (SBU) Governor Ruiz has tried to run a tight political ship since his near loss in the 2004 election, a race in which he was widely suspected of electoral chicanery. Opponents allege that he relies on old school tactics of media control, pressure on electoral observers, and vote buying. The PRI also maintains an elaborate patronage network, such as doling out development programs to the party faithful. Local academics note that the "uses and customs" systems of governance in 418 municipalities often abets the PRI's influence efforts (Note: Unsurprisingly, the PRI codified the system by local law). In many municipalities, mayors are selected and decisions made by a select few elders, councilman, or in an open, public vote. In 27 municipalities, women are not allowed to vote in local elections. Broadly speaking, the systems allow for the PRI to deal with a small number of leaders to ensure continued support, and open voting practices allow for increased influence by the party on constituents. Moreover, analysts and political leaders told Poloffs that, due to endemic poverty, these districts would remain vulnerable to economic manipulation under any leadership.

¶5. (SBU) Governor Ruiz hardly seems loved by most of the Oaxacan population, perhaps providing an opening for a gubernatorial candidate to break the PRI dynasty. While PRI

MEXICO 00003174 002.2 OF 005

local congressman Herminio Cuevas Chavez pointed to Ruiz's work building hospitals and universities throughout the state, most observers complained that both were barely staffed and funded. Moreover, the 2006 civil unrest, the state's heavy-handed response, and Oaxaca's slow recovery are still seared in the minds of the state officials, analysts, and opposition parties. Revolutionary Democratic Party (PRD) leaders Jesus Romero Lopez, coordinator of the PRD bloc in the state congress, and Amador Jara, president of the PRD's state executive committee, told Poloffs they hope to capitalize on the October Supreme Court ruling that found Ruiz and a number of his top security officials responsible for human rights violations during the 2006 protests. National press devoted considerable coverage to the ruling, and Oaxaca state officials were clearly uncertain about how to respond. Academics from a local university suggested that the decision could have a real political impact, even if the ruling itself does not mandate legal action against Ruiz.

¶6. (SBU) The state electoral council assured Poloffs that they are well-prepared for the elections next year, but it can hardly be considered a fair arbiter of the state elections scene. They claimed to have fully resolved issues that led to controversy and allegations of wrong-doing in the 2004 vote. Blaming "outsiders" and "guerrillas" for the 2006 unrest, they expect a peaceful electoral process next July. Virtually every other analyst or political leader with whom Poloffs spoke indicated that elections in Oaxaca are always difficult and highly contentious, and that they expect at least some sort of political unrest. A local academic (and of course, Ruiz's detractors) also noted that the voting public does not have much confidence in the monitoring authority and believes them to be compromised by the state government.

PAN-PRD: An Unnatural Alliance

¶7. (SBU) There is widespread talk of a broad alliance between six parties to defeat the PRI next year, but the viability of

establishing and maintaining such a disparate coalition is uncertain. Composed of the center-right National Action Party (PAN), leftist PRD, Convergencia, Worker's Party (PT), New Alliance (PANAL), and a local state party, the alliance would be a grab bag of political ideologies and interests. Nevertheless, Ruiz's rivals are convinced that a unified opposition would afford them a real chance at defeating the Oaxacan PRI dynasty. PRD state deputy Jesus Romero told Poloffs that the PRI can count on some 485,000 votes. The PRD's 430,000, along with backing of the state teachers' union and 150,000 votes for the PAN, could be enough to usher a "transition government" into the state capital. He noted that with the backing of the teachers' union, the party would not necessarily need the PAN for votes but would need the PAN's financial backing for campaign and voter mobilization purposes. The parties will have to register an alliance with the state electoral authorities by February 9.

¶8. (SBU) The viability of such an alliance -- which is not unheard of in the annals of Oaxacan politics -- will mostly hinge on the ability of participants to agree to a unity gubernatorial candidate. PRD leaders and local analysts suggested that Convergencia Senator Gabino Cue Monteagudo -- Ruiz's opponent in the 2004 elections and the candidate of a PAN-PRD-Convergencia alliance -- is well-liked and would be a strong contender. He is already touring Oaxaca along with 2006 PRD presidential candidate Andres Manuel Lopez Obrador to build support. The benefit of a Gabino Cue candidacy, according to Oaxacan opposition politicians and observers, is that he is well-known and liked in the state. Moreover, Deputy Romero indicated that Lopez Obrador has pledged tacitly to support the alliance if the candidate is Cue by not speaking out against PAN's participation. If the alliance were to select a PAN candidate or a leader from outside the political realm, such as a businessman or state celebrity, then Lopez Obrador might not stay quiet.

¶9. (SBU) PRD leaders indicated that the alliance is part of a broader national strategy in preparation for the 2012 presidential elections. They told Poloffs that they, along with the PAN, would like to deprive the PRI its leadership of

MEXICO 00003174 003 OF 005

a state that is electorally significant for the party -- at the very least, a non-PRI governor would certainly not use state resources to support a PRI candidacy. Moreover, the PAN, in particular, is looking to replicate the alliance approach in Mexico State in the 2011 gubernatorial vote in an attempt to defeat PRI presidential hopeful, Governor Enrique Pena Nieto. The PAN believes that a PRI loss in his own state would seriously tarnish Pena Nieto's image and compromise his own presidential campaign. The PAN and PRD are discussing similar strategies in Veracruz and other PRI states with upcoming elections next year.

PRI Dynamics

¶10. (SBU) The October Supreme Court ruling against Ruiz has complicated his role in the election and his political future. While the governor generally selects his preferred successor as candidate, PRI contacts in Mexico City have told Emboffs that the PRI's National Executive Committee will step in to impose someone who is perhaps less close to the governor, but more palatable to the voting population. Party president Beatriz Paredes will reportedly have a larger role in Oaxaca than she usually does in local elections in PRI-controlled states. Local analysts in Oaxaca suggested PRI Senator Adolfo Toledo would be a PRI candidate who could unify the various party factions, but said that he had been defeated by Gambino Cue at the ballot box before and would therefore be at a disadvantage should Cue be the contender. Ruiz, who has been angling for either the party presidency and/or a cabinet position in a potential future PRI administration, may have to temper his political aspirations. His already dubious national reputation has been further

stained with the Supreme Court ruling, and it is unlikely that the party would select him to be the next PRI standardbearer. Nevertheless, he will continue to have considerable sway within the party and in the federal congress, with his 14 deputies (and with some level of influence over an additional 30-40, according to a Oaxacan academic) giving him effective control of the third largest PRI bloc in the lower house.

Judicial Reform Moving Forward

¶11. (SBU) While Oaxaca's judicial reform efforts have been questioned as a model for the rest of the country, they do serve as a bright spot for this troubled state.

Implementation of the new model -- including oral trials and alternative dispute resolution -- began in 2007, and State Attorney General (PJE) Evencio Martinez Ramirez says that the reduction of bureaucracy, decrease in corruption, and increase in the speed of trials have had a real impact on citizens in the state. Oaxaca's implementation process started in specific districts but covered all crimes, much like that of Chihuahua. Unlike Chihuahua, which invested millions, Oaxaca had to adopt the new system with very limited resources. Attorney General Martinez told Poloffs that state governments that complain that a lack of resources inhibit the transition to a new system are merely looking for excuses -- claiming that they need a great deal of resources means they are fundamentally rejecting the reform. Oaxaca has also tried to include indigenous justice traditions -- including public proceedings -- to facilitate its transformation process.

¶12. (SBU) Oaxaca started using oral trials about 2 years ago, and so far has had 72 audiences under the system. Oral trials have actually reduced the number of bureaucrats necessary to process cases, increased the speed of trials, and improved the quality of investigations. The Attorney General noted that prosecutors are forced to prepare cases better since they are now accountable to the public, and that cooperation between investigators, prosecutors, and judges has also improved. Instead of a jury, cases are tried before a panel of three judges.

¶13. (SBU) Oaxaca is also proud of its restorative justice system. About 50 percent of cases can be dealt with through alternative justice mechanisms, which can be applied to over 200 kinds of crime. The use of restorative justice is

MEXICO 00003174 004 OF 005

voluntary, but so far thousands of cases have been dealt with using these mechanisms. These tools have helped expedite the judicial process since it enables prosecutors to weed out cases going to trial. PJE officials noted that the use of restorative justice, such as mediation, has also caused a cultural shift in the understanding of justice in the state. For example, many mediation cases end with the defendant accepting responsibility for their crimes and asking forgiveness from victims. The Attorney General was effusive in his praise for USAID's work in assisting the state's efforts, saying that its training support has been fundamental.

Human Rights

¶14. (SBU) President of the Oaxaca State Human Rights Committee Heriberto Antonio Garcia -- appointed by the local congress -- told Poloffs that the state government is responsive to its recommendations. The Committee made 28 recommendations to the state in 2008, of which 26 were accepted (if not fully complied with). So far, the Committee has received 1,700 complaints in 2009, and has made 26 recommendations, of which 20 have been accepted. Garcia opined that citizens are making more complaints because they have more confidence in the system, and noted that local

police, municipal leaders, and teachers are the greatest offenders -- over 50 percent of complaints are against the latter. Tellingly, a high-ranking Committee official told Poloffs in the moments before the president's arrival that while the Committee is technically autonomous, it is fully funded by the state government and, therefore, cannot truly be independent. Moreover, he said he is concerned that next year's budget will be seriously curtailed since the state government will be pulling funds to run its election campaign.

¶15. (SBU) A local representative of human rights NGO CentroPro, Alejandro Sandoval, had a different take on the state's human rights situation. He noted that Oaxaca citizens have always suffered from flagrant human rights abuses, mostly due to the highly authoritarian nature of the state government. Sandoval also pointed to a recent UN Human Rights Commission document naming Oaxaca as the most dangerous state in Mexico for human rights defenders. He noted that the local NGO community is working more closely with federal government officials given its poor relationship with the state. Civil society's relationship with the state Human Rights Committee is very bad, and Sandoval argued that the Committee is unresponsive to complaints made by the organization. He disparaged judicial reform efforts, and said that he is concerned about the state government's efforts to pull funds from various programs for electoral campaign purposes. Sandoval did note that civil society organizations are dialoguing with Ruiz's political opponents and support the idea of an electoral alliance.

Comment

¶16. (SBU) Political parties are viewing Oaxaca's local elections through a national lens as they gear up for the 2012 presidential contest. The gubernatorial vote may be particularly hard fought, although the PRI's opponents seem far from finalizing an alliance. Given the PRI's virtually guaranteed 480,000-plus votes, its control of state spending, and its extensive patronage networks, an alliance is the only way to unseat the PRI from the state house. Deep wounds from the 2006 civil unrest still scar the state, and the recent Supreme Court ruling may open some political space for PRI rivals. It will be far from an easy fight, however -- the supposedly "very unpopular" governor still ensured a PRI sweep of the July 2009 legislative contest, winning every federal deputy seat. National party leadership will meddle in the state political process, but the PAN and PRD's ability to replicate an alliance strategy to defeat other PRI leaders in local elections over the next two years is uncertain given the peculiarities and conditions unique to each state. Oaxaca remains a highly-divided, tinderbox of a state, where seemingly contentious local issues have national resonance.

MEXICO 00003174 005 OF 005

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